HON'BLE SRI JUSTICE A. GOPAL REDDY

WRIT PETITION NO.6988 OF 1997

DATE:05.07.2006

Between:

Mohemmed Omer

..... PETITIONER

AND

The Commissioner of Labour, A.P.,
Hyderabad and two others.

.....RESPONDENTS

HON'BLE SRI JUSTICE A. GOPAL REDDY

W.P. No.6988 OF 1997

ORDER:

This writ petition has been filed seeking a writ of mandamus directing the first and second respondents to act on the letter of the petitioner dated 9.11.1995 and forward the same to the Government at an early date and the government after due consideration, refer the dispute to the Labour Court, Hyderabad.

In the counter affidavit filed by the Commissioner of Labour-first respondent, it is stated that the Government through their letter dated 7.5.1996 rejected the dispute of the petitioner-workmen holding that the dispute raised by the petitioner does not merit reference for adjudication as the management has issued punishment orders in the years 1972, 1975 and 1983 withholding of increments and also removal from service on 26.12.1985. On such removal, the petitioner raised a dispute under Section 2(A) of the Industrial Disputes Act, 1947 and the same was disposed of by the Labour Court awarding reinstatement without back wages and attendant benefits, but continuity of service. Since the petitioner has not raised any dispute prior to his termination or after the termination, the same cannot be entertained after long lapse of twenty years.

In view of the rejection of the request of the petitioner by the Government, no cause survives for adjudication in this Writ Petition.

Accordingly, the Writ Petition is dismissed as infructuous. No costs.

A. GOPAL REDDY, J

05th JULY, 2006.
Tsr